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SUBJECT: SUDAN: FRENCH OFFER NO "DEAL" BUT BELIEVE
KHARTOUM IS SEEING THE LIGHT

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Classified By: Political Minister-Counselor Kathleen Allegrone, 1.4 (b/d).

[1](#)1. (C) SUMMARY: French Presidency official Romain Serman on September 4 said that Sudanese officials seemed to be acknowledging reality and the need for them to change their behavior following consultations in Khartoum that Deputy Diplomatic Advisor Joubert and Serman held on September 2 with a range of senior Sudanese officials (that did not include President Bashir). The French delivered a hard-hitting message that international pressure would mount from all directions unless Sudanese behavior changed. The Sudanese leaders indicated their own fears of prosecution by the ICC. They said they would consult among themselves and respond to the French, which Serman believed could take place in the next couple of weeks. The French are also ready to mediate talks between Khartoum and JEM. Serman indicated that Egypt, Algeria, and China were pressing Khartoum to cooperate with the international community. The French did not offer a "deal" on ICC-related issues but said that France, and likely others, would respond positively to a change in Sudanese policy and practices, as the international community had responded positively to Qadhafi's change in behavior. Serman stressed firmly that now was not the time to seek UNSC sanctions, which would likely end any inclination that Khartoum, N'Djamena, and their respective rebel supporters might have to talk to each other. END SUMMARY.

[1](#)2. (C) Romain Serman, Counselor on Africa at the French Presidency, on September 4 provided a wide-ranging briefing on the situation in Sudan. He said that Deputy Diplomatic Advisor Bruno Joubert and he traveled to Khartoum on September 1 and held roughly 10 hours of meetings on September 2 before returning to Paris on September 3. They did not meet with President Bashir but instead met individually with Vice President Ali Osman Muhamad Taha, Foreign Minister Deng Alor (twice), Presidential Advisors Mustafa Osman Ismail and Nafie Ali Nafie, and with Intelligence Chief Salah Ghosh.

French Message

[1](#)3. (C) Serman said that the French message to the Sudanese was blunt and direct. For at least four years the international community had ceaselessly called for Sudan to stop the killing in Darfur, with little effect. For years it had called on Sudan to hold peace talks with the rebel factions, particularly the JEM (Justice and Equality Movement). These calls had been ignored. Earlier this year, France had urged Khartoum to talk to the JEM. This went unheeded, which resulted in the JEM attack on Omdurman. JEM attacks could well resume after the rainy season, particularly if the ICC were formally to indict Bashir in the

coming months. For well over a year the international community had asked Khartoum to cooperate with UNAMID; instead Khartoum kept placing obstacles, some quite minor but nonetheless very troublesome, to its deployment. Khartoum had refused to cooperate with the ICC, which had already indicted two Sudanese officials. Khartoum was now facing the possible indictment of President Bashir. Khartoum had entered into the North-South CPA (Comprehensive Peace Agreement) but was not implementing it. Joubert and Serman told the Sudanese that Sudan was thus responsible for numerous problems in the region and they were all the result of Sudan's continued bad behavior and refusal to cooperate. It should not surprise Sudan that everyone opposed Khartoum and was losing patience. If Sudan maintained the same attitude, it should not expect any breaks regarding the ICC, which was likely to pursue officials other than Bashir and the two already under indictment. Things would get worse and not better if Sudan refused to cooperate on these many issues. Now there was the attack on the Kalma refugee camp, which further angered the international community. When Sudan kept acting in these ways, what could it expect? And why should anyone believe that others were responsible for these problems and not the Sudanese leadership itself?

¶4. (C) If Sudan cooperated, the French could not promise relief, from the ICC or any other pressures from the international community, Joubert and Serman told the Sudanese. But a significant change in Sudan's policies could cause the international community to shift its position. Serman said that he and Joubert cited the case of Libya's Qadhafi. He was once near the top of the world's "bad guy" list. However, he changed his ways and has slowly emerged

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from his isolation as a pariah, with a recent visit to France and now the prospect of a visit by Secretary Rice. Joubert and Serman told the Sudanese that President Sarkozy was willing to take political risks by rewarding former "bad guys" who started acting better. They noted Qadhafi's visit, the trip Sarkozy was making to Syria, and Syrian President Assad's attendance at the meeting on the Mediterranean the French organized earlier this year, all of which resulted from a more cooperative stance on the part of Qadhafi and Assad. Sudan could work its way into the world's good graces as well. But it all depended on Sudan and not on everyone else's "solving" Sudan's problems, as the Sudanese seemed to wish.

Sudanese Response

¶4. (C) Serman noted that he and Joubert were exceptionally well and courteously received by the Sudanese. Because of Ramadan and the lack of a luncheon meal, the talks on September 2 continued for about 10 hours straight. Serman said that the Sudanese leaders were worried about the ICC, which seemed to dominate their thoughts. Their fears were not centered on Bashir but rather on themselves -- it was beginning to dawn on them that they could all be called to account by the ICC for what they had done in Darfur and elsewhere. Serman said that Bashir's name came up only once during all the talks. Their interlocutors, in Serman's words, "seemed to be worrying about saving their own skin." The only one who expressed some defiance was Nafie Ali Nafie, who kept arguing about not talking to the JEM, blaming Chad and Chad President Deby for Sudan's problems, and "spouting the same line we always hear from him." Yet, even Nafie expressed concern about his personal future well-being.

¶5. (C) In sum, Serman said that the Sudanese officials seemed to realize that saving themselves might involve a real effort to change Sudan's behavior, at least to have the world get off Sudan's (and their) back. None, except Nafie, offered much challenge to what the French said or claimed that France was "wrong." Serman said that he and Joubert told the Sudanese that a continued lack of cooperation would be "suicide," with the international community offering no

respite and the ICC likely to continue targeting Sudanese leaders. Serman was careful to note that he and Joubert did not offer guaranteed relief in exchange for better behavior. They said a change in behavior would represent a choice of "cancer" over "suicide," with "cancer" at least offering the prospects of a cure. Ghosh, in a rare moment of humor, said that the choice was between "suicide" and "HIV," noting that modern medical treatment seemed able to prolong an HIV victim's life indefinitely. Either way, the French said that the choice was up to the Sudanese.

Red Lines

16. (C) As the discussions continued, the Sudanese (including Nafie) told the French "you have us cornered." Finally, the Sudanese said that they had a "red line" -- no transfers of any Sudanese, including those already under indictment, to the ICC. Joubert and Serman said France had its own "red line" -- no help, sympathy, or breaks unless Sudan did all the things the international community was asking it to do -- support UNAMID, end the fighting in Darfur, implement the CPA, cooperate with the ICC (i.e., at least with respect to the two indictees), open peace talks with the rebels (especially the JEM), and stop helping the Chadian rebels.

What Next?

17. (C) Serman said that he and Joubert had the impression the Sudanese now had some serious thinking to do. When the ICC issue first arose, the Sudanese were expecting France and others to "help" with that problem. The French told them that they were the cause of their own problems and had no reason to expect France or anyone else to "help" them. They seemed to be taking this on board. All of the Sudanese told the French they would think about what the French had said, and might respond within the next few weeks.

18. (C) Serman quite frankly did not know what the result might be. They could all return to their hard-line positions, figuring that they had burned all their bridges and had nowhere else to go. Or, they could finally come to the realization that they were the ones that could help resolve the region's problems (and at the same time save their own skins). Serman expected some response "sooner rather than later."

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JEM

19. (C) Serman said the French told the Sudanese that France would be willing to act as mediators in any talks Khartoum might want to hold with the JEM, to be present in the room at any such discussions. Serman said that the Sudanese did not reject this out of hand. Serman noted that France had many reservations and concerns about the JEM but that if we wanted the fighting to end, JEM and Khartoum had to reach some sort of accommodation with each other.

Other Actors

10. (C) Serman noted that when the ICC issue first arose, many African and Arab League states were strongly opposed to the possibility of Bashir's being indicted. Now, however, the tide was turning, as these other countries were beginning to realize that the problem was not the ICC but rather Sudan's own behavior. When Joubert and Serman were in Khartoum, a Chinese delegation was also there. The Chinese reportedly told Sudan to start cooperating and to cease expecting that others would protect Sudan. Among the Chinese delegation was a legal expert, who was advising Khartoum on how it might hold private talks with ICC lawyers in an effort to resolve smoothly some of Sudan's ICC problems, namely, concerning the two Sudanese already under indictment.

¶11. (C) At the opening ceremonies of the Beijing Olympics, President Bouteflika of Algeria was sitting near Sarkozy. Serman said that Bouteflika urged Sarkozy to get more involved with the Sudan problem, and indicated to Sarkozy that Algeria believed that Sudan had to do more to solve its problems. Serman reported similarly with respect to Egypt's Mubarak, who was also becoming more critical of Khartoum. (NOTE: During our meeting with Serman, Egypt's Ambassador to France was meeting with Joubert, who, according to Serman, was receiving the same readout Serman was providing to us. END NOTE.) Serman said that he would meet later the same day with PRC representatives to discuss Sudan.

French View Sanctions as Counterproductive

¶12. (C) Serman said that the GOF was aware of the USG's call for a P-3 meeting in New York on the afternoon of September 4 to discuss the sanctions issue. He said that moving to impose sanctions now would be completely counterproductive. Sanctions would end any inclination the various parties might have to talk to each other, and these possibilities seemed real, since the Sudanese now had the fear of God in them. On the Chad front, Serman said that Nouri was exhibiting a greater willingness to consider talking to the Deby regime in N'Djamena and that the Erdimi forces were now largely in cantonment. Sanctioning Daoussa would turn Deby off completely and break any possibility of his wanting to talk to the rebels. There was also the EUFOR follow-on force issue to consider. If the JEM were sanctioned, it too would be more willing to carry on militarily, a willingness that would be boosted if the ICC were to indict Bashir. "Who could criticize them if they were to go to war to oust someone indicted for war crimes?" Serman asked rhetorically. He stressed that now was not the time to be talking about sanctions. Perhaps that could be a viable option in a few weeks or months should the various parties continue their intransigence. But not now, he pleaded, noting that the situation had changed completely from a few months ago (i.e., prior to the ICC prosecutor's actions) and that opportunities now existed that should be exploited and not abruptly stopped because of a move towards sanctions. (NOTE: In a separate September 4 conversation, MFA DAS-equivalent Christine Fages made the same points. END NOTE.) Serman said that the French UN delegation would argue against sanctions at the September 4 P-3 meeting, "but of course they won't have all the background I'm now giving you."

¶13. (C) Without elaborating or providing details, Serman regretted the inability of Joubert and A/S Frazer to discuss the sanctions issue in recent days, but he said that Joubert welcomed any contact A/S Frazer might choose to make to do so.

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